

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

KWAI ARDOIN, #693306

V.

DOUG DRETKE

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§

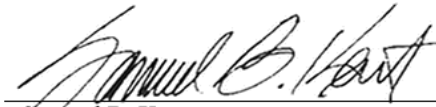
CIVIL ACTION NO. G-05-429

**ORDER OF DISMISSAL**

Before the Court for its Order of Acceptance is a Report and Recommendation of the United States Magistrate Judge, entered on October 21, 2005, which recommends that the instant cause be dismissed with prejudice. The Report and Recommendation specifically provides: "Petitioner shall have until November 7, 2005, in which to have written objections physically on file in the Office of the Clerk." To date, no objections have been filed.

Upon appropriate review pursuant to Rule 72 of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1)(C), the Court is satisfied that there is no clear error on the face of the record in these proceedings. Accordingly, the Report and Recommendation is **ACCEPTED** in its entirety and incorporated herein by reference. It is **ORDERED** that the instant cause is **DISMISSED** with prejudice for failure to state a claim for which federal habeas relief is available.

**DONE** at Galveston, Texas, this the 1<sup>st</sup> day of December, 2005.

  
Samuel B. Kent  
United States District Judge